

TO: Chehalis River Basin Flood Authority Members
FROM: Lara Fowler, Flood Authority Coordinator
RE: Background Related to Potential Extension of Anchor QEA Contract
DATE: December 9, 2011

This memorandum summarizes the scope and timing of the original Anchor QEA study, the Supplemental Agreement for the extension for the Fisheries Impact Study and the additional work for the Fisheries Enhancement work, and the need to extend the Supplemental Agreement.

At the November 17, 2011 Flood Authority meeting, Anchor QEA reviewed the Fisheries Impact Study report findings and provided the Flood Authority with an executive summary and technical appendices. On November 30, 2011, Anchor provided the summary report for the Fisheries Impact Study, thus providing a complete report to the Flood Authority for its review. In addition, Anchor staff will be hosting a data and model transfer workshop on Monday, December 12th as one of their deliverables.

Based on a request from the Flood Authority, comments on the Fisheries Impact Study are being accepted until January 2, 2012 to be reviewed and incorporated as appropriate. In addition, Anchor QEA continues to work on the Enhancement Study portion of the project.

The existing Anchor QEA Supplemental Agreement related to the Fisheries Impact Study and Enhancement Study expires on December 31, 2011, but may be extended upon mutual agreement. An extension until June 30, 2012 is recommended to provide time to incorporate comments in the Fisheries Impact Study (expected very early in 2012) and to complete the Fisheries Enhancement Study.

Background:

After the Flood Authority issued a request for qualifications, Anchor QEA was selected and a contract signed on August 19, 2010. The original contract included a total not to exceed \$900,000, and a report to be completed by June 30, 2011. The original scope of work included the following tasks:

- Task 1: Review Existing Fish & Habitat Data
- Task 2: Meetings, Project Management
- Task 3: Hydraulics/Hydrology (changes in streamflow, sediment transport, large woody debris, reservoir operations studies)
- Task 4: Water Quality: predict changes in water temperature, dissolved oxygen
- Task 5: Fish Habitat Availability Modeling Using PHABSIM
- Task 6: Fish Population Modeling Using Shiraz
- Task 7: Report Preparation
- Task 8: Data & Model Transfer Workshop

During the 2011 Legislative session, a budget proviso in ESHB 2020, Section 1033(1)(a)(ii) extended the timeframe. This section required the Flood Authority “to complete by December 25, 2011 the ongoing study of the effect of possible retention structures on fish in the basin.” Section 1033(2)(a) further requires the Washington State Office of Financial Management (OFM) to produce a report by July 2012 that must address, among other items, “the potential for flood mitigation through upstream water retention facilities, including benefits and impacts to fish and potential mitigation of impacts.”

Following the 2011 Legislative session, OFM signed an interlocal agreement with the Flood Authority (OFM Interlocal Agreement No. K937). The OFM Agreement also specifically references the fisheries work under Task 3. This agreement includes the following timeframes:

- Final report on fish impacts due by December 31, 2011.
- Data compilation, off-channel delineation and identification of preliminary fish enhancement opportunities due by June 30, 2012.
- Final plan and report on prioritized fish enhancement opportunities due no later than Dec. 2012.
- Additional sediment analysis to evaluate fish habitat in the Chehalis River to be completed by June 30, 2012.

In August 2011, the Flood Authority approved a Supplemental Agreement with Anchor QEA to extend the original due date and to provide an additional set of tasks to look at enhancement opportunities. The effective date is through December 31, 2011, but “may be modified or extended by mutual agreement, provided that such agreement shall be in writing and signed by both parties.” Supplement to Personal Services Agreement Between Lewis County and Anchor QEA (Aug. 8, 2011).

Although the Supplemental Agreement extended the date for completion from June 30, 2011 to December 31, 2011, the original contracted amount of \$900,000 remained the same for the Fisheries Impact Study portion of the contract, with \$188,485.06 unexpended and available to complete the tasks when the Supplemental Agreement was signed. As a result, the Supplemental Agreement included the following:

- Finalizing the Fisheries Impact Study: \$188,485.06
- Comprehensive Salmon Habitat Enhancement Plan (upper mainstem area): \$189,240
 - Task 1: Compile reports with relevant information, collect new data for identifying opportunities, and identifying potential habitat enhancement opportunities
 - Task 2: develop and apply criteria to prioritize the identified habitat enhancement opportunities and prepare Comprehensive Salmon Habitat Enhancement Plan
- Supplemental Analysis to Support Fish Study: \$49,775
 - Task 1: Additional sediment analysis
 - Task 2: Flood Authority and Fish Subcommittee Meetings (Project management)
- Total: \$427,500.06

As discussed above, this Supplemental Agreement will expire the end of December 2011 unless the parties mutually agree to extend the date. Given the request for an adequate period to review the Fisheries Impact Study and the on-going work for the Fisheries Enhancement portion, I recommend extending the contractual time period to June 30, 2012.